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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,110	09/12/2003	Brian Ferren	APPL0033	6488
22862	7590	04/03/2008	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			REVAK, CHRISTOPHER A	
ART UNIT	PAPER NUMBER			
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/661,110	<b>Applicant(s)</b> FERREN ET AL.
	<b>Examiner</b> Christopher A. Revak	<b>Art Unit</b> 2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 04 December 2007.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-28 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 13-28 is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/95/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's amendments to the claims have overcome the rejection under 35 USC 112 second paragraph, the rejection is hereby withdrawn by the examiner.
2. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground of rejection.
3. Applicant's arguments with respect to claims 13-28 have been fully considered and are persuasive.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson et al, US 2004/0008635 in view of Kim et al, U.S. Patent 5,936,662.

As per claim 1, it is taught by Nelson et al of an apparatus for synchronizing audio and video in videoconferences, comprising a plurality of conference sites; and a hub for receiving a composite audio and video signal from each site, determining for each site a currently displayed composite audio and video signal, and transmitting said currently displayed composite audio and video signal to each of said sites (see

paragraphs 15,16, & 55). The teachings of Nelson et al fail to disclose of said hub receiving an audio only signal from each site, wherein said hub routes all incoming audio only signals to each site. Kim et al teaches of said hub receiving an audio only signal from each site; wherein said hub routes all incoming audio only signals to each site (col. 10, lines 1-28). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to separate audio and video signals and to process them individually. The teachings of Kim et al recite of motivation for processing audio only signals by disclosing that efficient processing of the transmission speed of communications savings on installation costs by using an integrated services digital network as a line interface (col. 2, lines 30-38). It is obvious that the teachings of Nelson et al would have found the teachings of Kim et al beneficial as a means of more efficient processing by separating audio and video data for video conferences.

As per claim 2, it is disclosed by Nelson et al of signal for a site comprises a mixed audio signal composed of audio obtained from several microphones at said site (see paragraph 54). The teachings of Kim et al are relied upon for receiving audio only signals, please refer above for the reasons of motivation for applying the teachings of Kim et al with Nelson et al.

As per claims 3-7, the teachings of Nelson et al fail to discloses wherein said composite audio and video signals are both encrypted and compressed and wherein each site comprising a decoder for decrypting and decompressing video within said currently displayed composite audio and video signal and the audio only signal from

each site is encrypted and compressed, each site comprising: a decoder for decrypting and decompressing said compressed and encrypted audio only signal from each site. Kim et al teaches wherein composite audio and video signals are both encrypted and compressed and wherein each site comprising a decoder for decrypting and decompressing video within said currently displayed composite audio and video signal and the audio only signal from each site is encrypted and compressed, each site comprising a decoder for decrypting and decompressing said compressed and encrypted audio only signal from each site (col. 1, lines 43-58 and col. 10, lines 1-28). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to use encryption and compression techniques for content transmission. Compression is notoriously well known to reduce the size of transmitted data in an attempt to conserve bandwidth and to speed up transmissions. The motivation for using encryption is that information is protected from viewing by an unauthorized party. It is obvious that the teachings of Nelson et al could have used both encryption and compression, as taught by Kim et al, to protect the video conference signal and for allowing faster transmission of the content data.

As per claim 8, Nelson et al discloses that each site comprises a deselection and mixing device for deselecting a signal corresponding to an audio portion of said currently displayed composite audio and video signal, and for mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site; wherein audio associated with displayed video is synchronized with said displayed video (see paragraphs 15,16, & 55). The teachings of

Kim et al are relied upon for receiving audio only signals, please refer above for the reasons of motivation for applying the teachings of Kim et al with Nelson et al.

As per claim 9, it is taught by Nelson et al wherein said deselection and mixing device further comprising delay circuitry for aligning said audio only signals with said composite audio and video signal (see paragraph 15 &16). The teachings of Kim et al are relied upon for receiving audio only signals, please refer above for the reasons of motivation for applying the teachings of Kim et al with Nelson et al.

As per claim 10, it is disclosed by Nelson et al wherein said hub transmits at least two composite audio and video signals to each site to provide a split screen display at each site (see paragraph 15,16, & 55).

As per claim 11, Nelson et al teaches wherein those of said signals which correspond to said at least two composite audio and video signals are deselected at each said site (see paragraph 15 &16). The teachings of Kim et al are relied upon for receiving audio only signals, please refer above for the reasons of motivation for applying the teachings of Kim et al with Nelson et al.

As per claim 12, Nelson et al discloses of further comprising an deselection hub for deselecting those audio only signals not directly associated with an ongoing conversation (see paragraph 15 &16). The teachings of Kim et al are relied upon for receiving audio only signals, please refer above for the reasons of motivation for applying the teachings of Kim et al with Nelson et al.

***Allowable Subject Matter***

6. Claims 13-28 are allowed.
7. The following is a statement of reasons for the indication of allowable subject matter:

As per claim 13, it was not found to be taught in the prior art of providing a plurality of conference sites; and providing a hub for receiving a compressed and encrypted, composite audio and video signal from each site, for determining a currently active site, and for transmitting said composite audio and video signal from said currently active site to all other sites, said hub separately receiving a compressed and encrypted audio only signal from each site; wherein, said hub separately routes all incoming compressed and encrypted audio only signals to each site.

As per claim 25, it was not found to be taught in the prior art of a hub for receiving a compressed and encrypted, composite audio and video signal from a plurality of sites, for determining a currently active site, and for transmitting said composite audio and video signal from said currently active site to all other sites, said hub separately receiving a compressed and encrypted audio only signal from each site, wherein, said hub routes all incoming compressed and encrypted audio only signals to each site, separately from said composite audio and video signal.

As per claim 26, it was not found to be taught in the prior art of a decoder for decrypting and decompressing video within a composite audio and video signal for a currently active site, a decoder for decrypting and decompressing a compressed and encrypted audio only signal from each site separately from said composite audio and

video signal, and an audio deselection and mixing device for deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said currently active site, and for mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site, wherein audio associated with displayed video is synchronized with said displayed video.

As per claim 27, it was not found to be taught in the prior art of receiving a compressed and encrypted, composite audio and video signal from a plurality of sites at a hub, determining a currently active site, transmitting said composite audio and video signal from said currently active site to all other sites with said hub, separately receiving a compressed and encrypted audio only signal at said hub from each site, and routing all incoming compressed and encrypted audio only signals to each site from said hub separately from said composite audio and video signal.

As per claim 28, it was not found to be taught in the prior art of decrypting and decompressing video within a composite audio and video signal for a currently active site, decrypting and decompressing a compressed and encrypted audio only signal separately received from each site, and deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said currently active site, and mixing said audio portion of said composite audio and video signal for said currently active site with audio only signals separately received from each site at said currently active site, wherein audio associated with displayed video is synchronized with said displayed video.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher A. Revak/  
Primary Examiner, Art Unit 2131